

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ROBERT BELL,)	
)	
Petitioner,)	
)	
v.)	No. 4:08CV1597 MLM
)	
TROY STEELE,)	
)	
Respondent.)	

OPINION, MEMORANDUM AND ORDER

Before the Court are numerous filings by petitioner, presumably filed in response to the Court's October 20, 2008 Memorandum and Order.

As the Court noted in its previous Memorandum and Order, at the outset of this case, petitioner presented the Court with a filing numbering over three hundred pages, including several different requests for relief, a myriad of arguments, and numerous "exhibits" purportedly supporting petitioner's claims. Many of the documents submitted by petitioner were handwritten and difficult to read.

Additionally, the filings failed to comply with Federal Rules of Civil Procedure 8 and 10 in that the petition did not contain a "short and plain statement of the claim....," nor was the petition set forth in "number paragraphs,...limited...to a single set of circumstances."

In light of the deficiencies in petitioner's filings, the Court ordered petitioner to file an amended petition in compliance with the Federal Rules of Civil Procedure. Petitioner was additionally advised that to the extent that he was alleging challenges to the conditions of his confinement, he must set forth those claims in a separate action brought pursuant to 42 U.S.C. § 1983. Petitioner was specifically told that his failure to comply with the Court's Order would result in a dismissal of his petition without prejudice.

In direct contravention of this Court's Order, petitioner submitted to the Court thirteen (13) different filings, many of which contain lengthy and rambling arguments and a myriad of requests for relief, and all of which are in some fashion difficult to read. As of the three filings which could most easily be construed as some type of petition or complaint, none of the three comply with the Court's admonitions as to Federal Rules of Civil Procedure 8 and 10 in that each fails to contain a short and plain statement of petitioner claims and/or is limited to a single set of circumstances. Additionally, despite the Court's explicit instructions to the contrary, petitioner has included in several of the filings claims regarding his conditions of confinement, which are clearly not cognizable in habeas corpus.

Petitioner's failure to comply with this Court's Order as to the amendment of his petition will result in a dismissal of this action without prejudice.

Accordingly,

IT IS HEREBY ORDERED that in accordance with Federal Rule of Civil Procedure 41(b), this case will be dismissed without prejudice.

IT IS FURTHER ORDERED that all pending motions are **denied as moot**.

A separate Order of Dismissal shall accompany this Memorandum and Order.

Dated this 26th day of November, 2008.



UNITED STATES DISTRICT JUDGE